

**SUFFIELD ZONING AND PLANNING COMMISSION
MINUTES OF REGULAR MEETING
July 21, 2014**

Present: **John Murphy, Vice Chairman**
 Chester Kuras, Secretary
 Mark O'Hara
 Charles Sheehan
 Mark Winne
 Ginny Bromage, Alternate

Absent: **Frank Bauchiero, Jr., Chairman**
 Gina Pastula, Alternate
 Jacek Bucior, Alternate

Also Present: **Bill Hawkins, AICP, Town Planner**
 Gerry Turbet, Town Engineer
 James Taylor, Zoning Enforcement Officer
 Eleanor Binns, Administrative Secretary
 Carl Landolina, Commission Counsel

The proceedings of this meeting were voice recorded.

I. ROLL CALL

In the absence of Chairman Bauchiero, John Murphy was acting chairman for the meeting and called the meeting to order at 7:00 pm. He then asked Mrs. Binns to take a silent roll call. In the absence of Mr. Bauchiero, Mrs. Bromage was appointed as an alternate voting member.

II. EXECUTIVE SESSION

Mr. Winne moved to go into executive session to discuss pending claims and litigation – Congamond Lakes Environmental Protection Organization, et.al. versus Suffield Zoning and Planning Commission. The motion was seconded by Mr. Sheehan and passed 6-0-0.

The members of the commission along with Mr. Taylor, Mr. Turbet, Mr. Hawkins and Mr. Landolina met in executive session and all others left the hearing room.

The commission came out of executive session at 7:48 pm with no votes taken. The motion was made by Mr. Winne to come out of executive session and was seconded by Mr. Sheehan and passed unanimously, 6-0-0. Attorney Landolina left the meeting at this point.

III. INFORMAL DISCUSSION

Jaime Smith of Lodestar Energy introduced himself and his business partner Jeff Macel to the commission. Lodestar Energy is a solar development and financing company based in Connecticut. He explained that there are state statutes and public acts meant to authorize and encourage the use of solar array systems to generate electricity on farmland. He stated that they

would be looking at a solar energy overlay zone that would work in conjunction with existing regulations and a special permit would be required for solar installations on farmland. Mr. Smith pointed out the benefits to the farmer as well as the environment and there would be minimal impact on the property with no topographical changes. Screening of the solar arrays would be provided using appropriate plantings. Also, the installations are meant for areas that are not being actively farmed. Another benefit is that these solar systems are taxable with no use of town resources.

Mr. Murphy expressed concern over the amount of farmland that would be used for these solar systems and Mr. Smith explained that they would be limited to areas that already have three phase power which would limit the areas of Town where these installations could be built.

They have just completed a project in Sandwich, Massachusetts which is a good example of what can be done.

Mr. Murphy asked if anyone in the audience would like to speak.

Kevin Sullivan, 1005 North St., Suffield, stated that he was the agricultural representative to the Connecticut Climate Adaptation Council and is currently on the governor's Agricultural Development Council and this is exactly the type of program that they want to see in the state. One megawatt of power per five acres would be enormously beneficial to farmers and would serve as backup power during outages. He is also president of the Connecticut Nurserymen's Association which would welcome opportunities to provide screening for the solar arrays. He further stated that this enhances farmland preservation and is good for farming. He came to the meeting to endorse the concept.

Mr. Hawkins will continue to work with Lodestar Energy and come back to the commission with more information on possible zoning regulations.

IV. PUBLIC HEARINGS

For the record, Secretary Kuras read aloud the legal notice that was published in the Hartford Courant on July 10, 2014 and July 17, 2014.

File # 2014-16: Request for Special Permit for Suffield Commons, Continuing Care Facility, to include Restaurant and Modification to Parking. Map 43H, Block 45, Lot 275
Applicant – Frank DeMarinis

Frank DeMarinis of Sage Engineering made the presentation. He is proposing partnering with M & M Restaurant to use the dining facility that is already in place at Suffield Commons (formerly known as Bissell Inn) and provide a la carte meals to the residents. In order to do this in an efficient manner and be more affordable they want to open this up to the public for breakfast and lunch. He has proposed this to the residents of the facility and they are in agreement. In order to accommodate the restaurant, more parking was required by the regulations. He is proposing a new site plan which incorporates the 12 additional parking spaces, revised drainage system, and retaining wall on the east side of the parking lot.

Mr. Murphy questioned if the restaurant permit should be a separate use from the assisted living use and if a new application is required. Discussion ensued on the difference between independent living which is what this facility is categorized as and assisted living. Suffield regulations only list assisted living.

Mr. DeMarinis stated that they are currently offering their services a la carte and needed at least five residents to request them.

Ms. Bromage asked if they were considering offering dinner to the public at some point. Mr. DeMarinis stressed that they would offer dinner to residents but not to the public and he would be willing to have the use restricted on the approval to just breakfast and lunch.

Mr. Murphy asked if the patio would be open to the public and Mr. DeMarinis said there would be no outdoor service.

Mr. Turbet read his report into the record. He had three main concerns:

1. Reduction of the loading and fire lane area to obtain 2 extra parking spaces will interfere with fire department tower truck access and increase the difficulty of accessing dumpsters and nothing at the site has changed to justify eliminating those areas.
2. The 4 parking spaces to be added to the 10% slope adjacent to the access drive are in a poor location due to the slope and would require backing out into the access drive. As these are closest to the front door entrance to the restaurant, they will be most heavily utilized during restaurant hours when access drive traffic is most concentrated.
3. Due to the height of the retaining wall surrounding the proposed eastern extension of the parking lot, a guardrail may need to be incorporated into the design.

Mr. Turbet stated that he felt the drainage revisions that are proposed were adequate. He stressed the need for the fire departments tower truck turnaround area since this need did not change from the previous approval of the special permit for the assisted living.

Mr. DeMarinis stated that he would put guard rails where needed. He will also address the tower truck turnaround area, the dumpster access and will look at the parking layout again to possibly find other areas for parking.

There was discussion about the need for the application to be revised or for there to be an amendment to the regulations. The original special permit for the assisted living facility might need to be modified. This is a legal question that will need to be researched.

Bill Hawkins then summarized his report and noted that restaurants are a permitted use in the Town Center Village District Zone and that mixed uses on properties in this zone are encouraged. Any signage would have to be approved by the Design Review Board.

Mr. Murphy opened the hearing for comments from the public and asked if anyone wanted to speak in favor of or opposed to the application.

Saline Zaczynski, 422 South Main St. spoke in favor of having the restaurant.

Judy Nuszynski of Agawam, MA, works at M & M Restaurant and spoke in favor of moving the restaurant to Suffield.

Mary Donahue of Westfield, MA, is the owner of M & M Restaurant and spoke in favor of moving the restaurant to Suffield.

With no other comments Mr. Winne moved to continue the public hearing to the August 18th regular meeting. The motion was seconded by Mr. Sheehan and carried unanimously, 6-0-0.

File # 2014-17: Request for a 2 Lot Subdivision, 422 South Main St. Map 35H, Block 48, Lot 96. Applicant – Matthew Zaczynski

Brian Denno of Denno Land Surveying & Consulting described the property which will be subdivided into two lots of 30,000 and 32,000 square feet in an R25 zone. The new lot will face Limric Lane and will have sewer and water supply. The lot will utilize the existing sidewalks and street lights on Limric Lane. The plans show the required agricultural buffer adjacent to the farm land to the east, leaving the existing vegetation. This is a transfer of property to an eligible family member so the open space requirement would not apply.

Mr. Hawkins read his report into the record. He noted that the new lot will be in the Historic District and the proposed house will need approval from that commission prior to a building permit being issued. The Conservation Commission has approved the plans and the WPCA has issued a capacity letter.

He recommended the requested waivers for sidewalks, street lights, and open space be granted.

Mr. Turbet then read his report into the record. He stated that the sight distances are adequate and noted the proposed grading on the new lot will reduce the amount of drainage onto the Bryll lot which is the farmland to the east. He recommended that the plans be revised as follows:

- Label IP's to be set
- Show addresses on Limric Lane
- Add proposed lot numbers
- For lot 2, add proposed grading, footing drain and driveway material (first 20 feet to be paved)
- In area of the lot 2 water connection, show milling to 1-1/2" depth across entire road and paving to 5 feet beyond outer trench limits

He also recommended that the iron pins be installed at all parcel corners and indicated on the plan prior to the Commission signing the plan.

Mr. Murphy opened the hearing up for comments from the public and there were none.

With no other comments Mr. Sheehan moved to close the public hearing. The motion was seconded by Mr. O'Hara and carried unanimously, 6-0-0.

V. NEW BUSINESS

Request for Special Permit/Site Plan approval for Farmington Canal Heritage Trail Parking Lot located off Phelps Road Map 2 , Block 7 , Lot 1-1

Applicant – Town Engineer

Mr. Turbet reviewed the plans for a parking lot for the Farmington Canal Heritage Trail to be located on south side of Phelps Road adjacent to the trail on an acre lot that was donated to the town for this purpose. The plan is to clear the vegetation to allow 250 feet of visibility for the driveway. This will also improve visibility for the existing road. The Conservation Commission has this on their agenda for tomorrow evening, Tuesday, July 22nd. The lot will consist of 37 gravel parking spaces with a sign and information kiosk.

Discussion ensued about the need for the parking lot and the improvement to the road visibility.

Mr. Turbet hopes to be able to send this out to bid and have the work done this fall.

Mr. Sheehan moved to approve the application based on the drawing dated 6-26-13 map no. 212016-1SP, contingent on the approval of the Suffield Conservation Commission. The motion was seconded by Ms. Bromage and carried unanimously, 6-0-0.

Mr. Hawkins stated that there were members of the design review boards whose terms are expiring and made recommendations for appointments.

Mr. Sheehan moved to appoint David Bahlman as the Historic District Representative for a four year term and reappoint George Fields and Bobbie Kling each for a four year term to the Town Center Village District Design Review Board (TCDRB). The motion was seconded by Mr. Winne and carried unanimously, 6-0-0.

Mr. Winne moved to reappoint Bobbie Kling and Bob Borg each for a four year term to the West Suffield Center Village District Design Review Board (WSDRB). The motion was seconded by Mr. Kuras and carried unanimously, 6-0-0.

There will be another opening for the WSDRB and a recommendation for appointment will be made at a later date. The person should be a business owner or resident of this district to replace Chet Demko who has chosen not to seek another term.

VI. OLD BUSINESS

File # 2014-17: Request for a 2 Lot Subdivision, 422 South Main St. Map 35H, Block 48, Lot 96. Applicant – Matthew Zaczynski

Mr. Sheehan moved to grant the waivers for this application, the sidewalks, street lights and open space requirement. The motion was seconded by Ms. Bromage and carried unanimously, 6-0-0.

Mr. Sheehan moved to approve the application subject to the conditions enumerated in the memorandum of the town planner dated July 17, 2014, and also to include recommendations of the town engineer in his report of July 17, 2014. The motion was seconded by Mr. Winne and carried unanimously, 6-0-0.

VII. REPORTS

Chairman – Mr. Bauchiero was not in attendance and there was no report from the Chairman
Town Planner Mr. Hawkins stated that he has had issues with the street lighting shown on the approved plans of subdivisions and condominiums being overridden by CL & P when they do the installations. They do not always put in all the street lights that are shown on the approved plans. Discussion ensued and it was determined that the decisions of CL & P should be deferred to in most cases unless staff determines that there is a specific need for the additional lighting.

VIII. MINUTES

Mr. Sheehan made a motion to approve the June 16, 2014 regular meeting minutes as submitted, seconded by Mr. Kuras. The motion was carried, 6-0-0.

These minutes are not official until accepted at a subsequent meeting.

IX. CORRESPONDENCE

Mr. Murphy shared a letter from Mr. Enrique Alvarez with the commissioners pertaining to the signage in the Town Center Village District based on the recent hearing for the CVS store.

X. ADJOURNMENT

Mr. Sheehan made a motion to adjourn at 9:50 p.m.; seconded by Mr. Winne. Motion carried unanimously 6-0-0.

Submitted,

Chester Kuras, Secretary

cc: Assessor, Building Official, Conservation Commission, Economic Development Director, Selectmen, Town Clerk, Town Engineer, Zoning Enforcement Officer, Commission Counsel, File